

August 9, 2024

Via Electronic Filing

The Honorable Judge Jessica G.L. Clarke
United States Courthouse
500 Pearl St. Courtroom 20C
New York, NY 10007-1312

MEMO ENDORSED

Re.: *Vuppala v. Land of Buddha, Inc. et al*
Case No: 1:22-cv-09044
Post-Discovery Status Report

Dear Judge Clarke:

Per the Court's Order [D.E. 90], Plaintiff Kiran Vuppala ("Plaintiff") and Defendant Land of Buddha ("Land of Buddha" or "Defendant") (collectively the "Parties") hereby jointly provide a post-discovery status report. On July 18, 2024, the fact discovery period in the above-referenced case ended. To date, the Parties have exchanged extensive written discovery requests and responses, and have issued Notices of Depositions to Plaintiff and the Corporate Representative and (former) Day-To-Day Manager of Defendant Land of Buddha. No other Defendant has appeared.

However, the depositions still remain to be completed. Plaintiff had initially issued two Notices of Deposition to (1) the Corporate Representative (with the most knowledge) of Land of Buddha Inc. and (2) (former) Day-to-Day Manager of Land of Buddha Subject Facility for May 17, 2024. While Plaintiff, at least in part (which was continued at the end of the business day) has taken the partial deposition of Land of Buddha's Former Day-to-Day Manager, the more important Corporate Representative (with the most knowledge) of Land of Buddha Inc. had failed to appear (without excuse or protective order) at its noticed deposition May 17, 2024 at 9:00 a.m. (solely Defendant's appeared at 9:00 a.m. without said deponent or client). Please see attached Certificate of Non-Appearance (CNA) from the attending Reporter memorializing this unexcused failure to appear at said deposition. Plaintiff has attempted to afford said deponent the opportunity to reschedule their non-appearance at a later date, but it has been subsequently continuously mutually postponed but has not occurred to date, and Defendant Land of Buddha Inc. has also not agreed to reimburse the costs and fees involved in this aforementioned initial failed deposition of said Corporate Representative.

Land of Buddha, a company comprised of a single individual, opposes any further deposition of its sole employee. Defendant has noticed Plaintiff's deposition but has yet to take Plaintiff's deposition.

Plaintiff does hereby respectfully request a limited extension of time of discovery to have the opportunity to depose the Corporate Representative (with the most knowledge) of Land of Buddha Inc., as well as to voluntarily produce the Plaintiff on the same date if Defendant so desires, which the parties hereby respectfully propose to be fully completed on August 29, 2024.

Defendant filed a Motion to Dismiss, which has been fully briefed and is pending before this Court. (*See* D.E. 57.)

We thank the Court for its attention and consideration of this matter, and limited discovery extension request herein.


Respectfully submitted,

By: S/ B. Bradley Weitz
B. Bradley Weitz, Esq.
The Weitz Law Firm, P.A.
Bank of America Building
18305 Biscayne Blvd., Suite 214
Aventura, Florida 33160
Telephone: (305) 949-7777
Facsimile: (305) 704-3877
Email: bbw@weitzfirm.com
Attorneys for Plaintiff

By: S/ Ian E. Smith
Ian E. Smith, Esq
Spire Law, LLC
1230 Peachtree Street, Suite 1900
Atlanta, GA 30309
Telephone: (470) 604-9193
Email: ian@spirelawfirm.com
Attorneys for Land of Buddha, Inc.

The Court grants a limited extension of time of discovery, only for the purpose set forth herein, until **August 29, 2024**. The parties shall file a joint status letter no later than **September 5, 2024**.

SO ORDERED.



JESSICA G. L. CLARKE
United States District Judge

Dated: August 12, 2024
New York, New York